

Submitter: Denice Searcy
On Behalf Of:
Committee: Senate Committee On Rules
Measure, Appointment or Topic: SB686

NO on SB 686

Senate Bill 686 which would tax Google and Facebook (Meta) \$122 million and use that revenue to dole it out to local newspapers and newsrooms in Oregon. The bill is dangerous form of new taxes where government tells a private third-party to pay money directly to another private third-party. Please stop the looting of Google and Meta to lavish tax dollars on newspapers.

The tax-hungry proponents are pushing Senate Bill 686 as retribution for Google and Meta use of news highlight features and Artificial Intelligence which creates content by utilizing newsrooms' copyrighted content. We agree 100% with the problem, which is why lawmakers should fix the problem with proper and strong copyright safeguards.

Here is why Senate Bill 686 is very bad:

- Government is taxing one private company to reward another private company.
- Government is using a tax as a sledgehammer to politically punish people and not fix a single problem.
- Newspapers would be receiving government directed tax dollars. It would no longer be journalism. It further increases the government's control of every aspect of our lives.
- The bill creates an internet link tax to benefit broadcasters that produce at least 25% content that is of "current local, regional, national or international public interest;" creating a blank check for undefined "news."
- Undermines efforts to combat misinformation.
- The Bill forces subsidization of large conglomerate publishers, hedge funds, and international publishers – even if they have no presence or connection to Oregon.
- The bill raises a number of constitutional concerns, including its conflict with federal copyright law. As a result, this legislation will likely be struck down in court, leaving taxpayers responsible for legal fees the state will spend to defend it.

Remember, this is how our current government sponsored National Public Radio has handled political bias with their DC editorial positions 87 Democrats and 0 Republicans.

Congress has the power to regulate the trade between states rather than individual states. . The First Amendment protects against the government either prohibiting speech — or forcing people or businesses to speak or otherwise display particular speech.

SB 686 conflicts with the Supremacy Clause because it requires payment for the display of headlines, lades, facts, and other elements of copyrightable works that the Copyright Act provides are freely accessible. Because of this, the bill is also expressly preempted by Section 301(a) of the U.S. Copyright Act.

The funding hoping to keep Oregon's media thriving would go out-of-state owned by hedge funds or broadcasting conglomerates. Taxing linking will drive media into a controlled monopoly and will destroy free speech and fosters misinformation.

Since this bill is the first of its kind in America, and since it will forever change journalism in Oregon and since it smacks just a few companies with a massive \$120 million tax, you think lawmakers and the media would embrace a welcoming healthy long discussion on this topic. Not so. \$120 million of free tax cash is within their fingertips, so why not start the perverting of local journalism early by speeding it through the Legislature.